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10/051,277	01/22/2002	Paul A. Lovvik	06502.0396-00000	7605

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Finnegan, Henderson, Farabow,  
Garrett & Dunner, L.L.P.  
1300 I Street, N.W.  
Washington, DC 20005-3315

EXAMINER
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PANNALA, SATHYANARAYA R

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/051,277

Applicant(s)

LOVVIK ET AL.

Examiner

Sathyanarayan Pannala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Applicant's Amendment filed on 6/21/2006 has been entered with amended claims 1 and 17. In this Office Action, claims 1-19 are pending.

#### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-19 are rejected under 35 U.S.C. § 101 because none of the claims are directed to statutory subject matter. Independent claims 1, 5, 11 and 17 deals with simple an abstract idea and none of the claims are performing a useful, concrete and tangible results are produced. A claim that recites a computer that solely calculates a mathematical formula or a computer disk that solely stores a mathematical formula is not directed to the type of statutory subject matter eligible for patent protection. The claims are not producing useful, concrete and tangible results. See *Diehr*, 450 U.S. at 186 and *Gottschalk v. Benson*, 409 U.S. 63, 71-72 (1972).

#### **Claim Rejections - 35 USC § 103**

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4. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendler et al. (USPA Pub 2002/0042833, date considered is 7/22/19998) hereinafter Hendler and in view of Basin et al. (USPA Pub 2002/0120639 date considered is 3/9/2000) hereinafter Basin.

6. As per independent claim 1, Hendler teaches a method and apparatus for streaming an archive files including JAVA archive file from a server to a client device (page 2, paragraph 0009). The client received stream file is stored at the client device in a JAVA Archive format (page 2, paragraph 0010). Hendler does not explicitly teach receiving an un-extracted zip file. However, Basin teaches "un-extracted zip file" as these days, almost any file one downloads from the Internet is compressed (un-

extracted) in some way. A standard compressed file or folder as it is sometimes called contains one or more files that were compressed into a single file or folder. (page 1, paragraph [0002]). Basin also teaches as an archive manager, which allows a user to open, view, modify and extract data from an existing archive or create a new archive (page 3, paragraph 0035).

Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, have combined the teachings of the cited references because Basin's teachings would have allowed Hendler's method with an easy management and manipulation of archive files (Basin, page 1, paragraph [0008]). Hendler also teaches as Archive files could be of tar, zip files (page 7, paragraph 0067). Hendler teaches the claimed step of "receiving a stream of data containing a zip file, wherein the zip file comprises a set of files and a central directory" as Archive files can be streamed by extracting modules to client terminal 410 (Fig. 4, page 7, paragraph 0067).

Further, Hendler teaches the claimed step of "enabling a process to access contents of the central directory as the central directory is received" as the contents of each local file header is repeated in a central directory 640 located at the end of the ZIP archive (Fig. 6, page 7, paragraph 0069 and page 8, paragraph 0073-74 and 0076).

7. As per dependent claim 2, Hendler teaches the claimed step of "the enabling step comprises providing an interface for accessing contents of the central directory" as

the Zip file's central directory 640 includes an end of central directory record 640, the central directory is accessible as a part of the zip file (Fig. 6, page 7, paragraph 0070).

8. As per dependent claim 3, Hendler teaches the claimed step of "reading in a central directory file header" as the sizes of compressed files 601-606 can be obtained from the central directory header and the central directory header is read (Fig. 6, page 7, paragraph 0071). Further, Hendler teaches the claimed step of "providing an interface to access contents of the central directory file header" as the sizes of compressed files 601-606 can be obtained from the central directory file header and the central directory file header is accessed through an interface (Fig. 6, page 7, paragraph 0071).

9. As per dependent claim 4, Hendler teaches the claimed step of "reading in an end of central directory record" as the central directory 640 has an end record 647 and contains the total number of entries in the central directory end record and at the central directory end record is read to access the contents (Fig. 6, page 7, paragraph 0070). Further, Hendler teaches the claimed step of "providing an interface to access contents of the end of central directory record" as the central directory 640 has an end record 647 and contains the total number of entries in the central directory and the interface is provided to access the central directory end record (Fig. 6, page 7, paragraph 0070).

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10. As per independent claim 5, Hendler teaches a method and apparatus for streaming an archive files including JAVA archive file from a server to a client device (page 2, paragraph 0009). The client received stream file is stored at the client device in a JAVA Archive format (page 2, paragraph 0010). Hendler also teaches as Archive files could be of tar, zip files (page 7, paragraph 0067). Hendler teaches the claimed "a central processing unit" as the client computer 101 communicates with the server computer 102 (Fig. 1, page 3, paragraph 0029).

Further, Hendler teaches the claimed "an application program configured for execution by the central processing unit" as the server 401 provides a streaming-enabled version of application 500 to the client 410 (Fig. 4-5, page 6, paragraph 0060). Further, Hendler teaches the claimed "a receiving module, initiated by the application program, for receiving a streamed zip file" as the receiving device 410 includes a streaming executer 416 that controls the receipt of the streamed modules (Fig. 4, 6, page 8, paragraph 0075).

Hendler does not explicitly teach receiving an un-extracted zip file. However, Basin teaches "un-extracted zip file" as these days, almost any file one downloads from the Internet is compressed (un-extracted) in some way. A standard compressed file or folder as it is sometimes called contains one or more files that were compressed into a single file or folder (page 1, paragraph 0002). Basin also teaches as an archive manager, which allows a user to open, view, modify and extract data from an existing archive or create a new archive (page 3, paragraph 0035).

Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, have combined the teachings of the cited references because Basin's teachings would have allowed Hendler's system with an easy management and manipulation of archive files (Basin, page 1, paragraph 0008).

Finally, Hendler teaches the claimed step of "an interface module, initiated by the application program, for accessing contents of a central directory of the streamed zip file as the central directory is received" as the integration of streamed modules with executing modules are provided by client 410 dynamic module linking facilities (Fig. 4, page 7, paragraph 0064-65 and Fig. 6, page 8, paragraph 0073-74 and 0076).

11. As per dependent claim 6, Hendler teaches the claimed "the interface module is a Java class comprising a central header subclass and a central directory subclass" as the streamed modules have a Java class comprising central directory headers 641-646 and central directory 640 as subclasses (Fig. 6, page 9, paragraph 0084).

12. As per dependent claim 7, Hendler teaches the claimed "the receiver module reads in a central directory header as an object instance of the central header subclass" as the central directory class headers 641-646 and the stream executor 416 controls the activity of the client 410 (Fig. 6, page 9, paragraph 0069-0070).

13. As per dependent claim 8, Hendler teaches the claimed "the central header subclass comprises a set of methods for accessing contents of the object instance" as



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the central directory headers as subclasses 641-646 and contents of object instances are accessed to get sizes and offset information (Fig. 6, page 8, paragraph 0074).

14. As per dependent claim 9, Hendler teaches the claimed “the receiver module reads in an end of central directory record as an object instance of the central directory subclass” as the central directory end record 647 and the stream executor 416 controls the activity of the client 410 (Fig. 6, page 7, paragraph 0070).

15. As per dependent claim 10, Hendler teaches the claimed “the central directory subclass comprises a set of methods for accessing contents of the object instance” as the central directory subclass and the stream executor 416 controls the activity of the client 410 including accessing objects 641-647 (Fig. 6, page 8, paragraph 0077).

16. As per independent claim 11, Hendler and teaches a method and apparatus for streaming an archive files including JAVA archive file from a server to a client device (page 2, paragraph 0009). The client received stream file is stored at the client device in a JAVA Archive format (page 2, paragraph 0010). Hendler also teaches as Archive files could be of tar, zip files (page 7, paragraph 0067). Hendler teaches the claimed “a receiving module for receiving a streamed an un-extracted zip file” as the receiving device 410 includes a streaming executor 416 that controls the receipt of the streamed modules (Fig. 4, 6, page 8, paragraph 0075).

Hendler does not explicitly teach receiving an un-extracted zip file. However, Basin teaches "un-extracted zip file" as these days, almost any file one downloads from the Internet is compressed (un-extracted) in some way. A standard compressed file or folder as it is sometimes called contains one or more files that were compressed into a single file or folder. (page 1, paragraph 0002). Basin also teaches as an archive manager, which allows a user to open, view, modify and extract data from an existing archive or create a new archive (page 3, paragraph 0035).

Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Basin's teachings would have allowed Hendler's method with an easy management and manipulation of archive files (Basin, page 1, paragraph 0008).

Finally, Hendler teaches the claimed step of "interface module for accessing contents of a central directory of the streamed zip file as the central directory is received" as the integration of streamed modules with executing modules are provided by client 410 dynamic module-linking facilities (Fig. 4, page 7, paragraph 0064-65 and page 8, paragraph 0073-74 and 0076).

17. As per dependent claim 12, Hendler teaches the claimed "the interface module is a Java class comprising a central header subclass and a central directory subclass" as the streamed modules have a Java class comprising central directory headers 641-646 and central directory 640 as subclasses (Fig. 6, page 9, paragraph 0084).

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18. As per dependent claim 13, Hendler teaches the claimed “the receiver module reads in a central directory header as an object instance of the central header subclass” as the central directory class headers 641-646 and the stream executor 416 controls the activity of the client 410 (Fig. 4, 6, page 9, paragraph 0069-0070).

19. As per dependent claim 14, Hendler teaches the claimed “the central header subclass comprises a set of methods for accessing contents of the object instance” as the central directory headers as subclasses 641-646 and contents of object instances are accessed to get sizes and offset information (Fig. 6, page 8, paragraph 0074).

20. As per dependent claim 15, Hendler teaches the claimed “the receiver module reads in an end of central directory record as an object instance of the central directory subclass” as the end of central directory record 647 and the stream executor 416 controls the activity of the client 410 to read contents (Fig. 6, page 7, paragraph 0070).

21. As per dependent claim 16, Hendler teaches the claimed “the central directory subclass comprises a set of methods for accessing contents of the object instance” as the central directory subclass and the stream executor 416 controls the activity of the client 410 including accessing accesses objects 641-47 (Fig. 4, 6, page 8, paragraph 0077).

22. As per independent claim 17, Hendler teaches a method and apparatus for streaming an archive files including JAVA archive file from a server to a client device (page 2, paragraph 0009). The client received stream file is stored at the client device in a JAVA Archive format (page 2, paragraph 0010). Hendler also teaches as Archive files could be of tar, zip files (page 7, paragraph 0067). Hendler teaches the claimed "an interface stored in the memory, the interface for use with a receiver configured for receiving a streamed an zip file, wherein the zip file comprises a set of files and a central directory, the interface comprising a process for accessing contents of the central directory as the central directory is received" as the receiving device 410 includes a streaming executer 416 that controls the receipt of the streamed modules (Fig. 4, 6, page 8, paragraph 0073-76). Also, Hendler teaches as the integration of streamed modules with executing modules are provided by 410 dynamic module-linking facilities (Fig. 4, page 7, paragraph 0065).

Hendler does not explicitly teach receiving an un-extracted zip file. However, Basin teaches "un-extracted zip file" as these days, almost any file one downloads from the Internet is compressed (un-extracted) in some way. A standard compressed file or folder as it is sometimes called contains one or more files that were compressed into a single file or folder (page 1, paragraph 0002). Basin also teaches as an archive manager, which allows a user to open, view, modify and extract data from an existing archive or create a new archive (page 3, paragraph 0035).

Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, have combined the teachings of the cited references because Basin's teachings would have allowed Hendler's method with an easy management and manipulation of archive files (Basin, page 1, paragraph 0008).

23. As per dependent claim 18, Hendler teaches the claimed "the process is a Java class comprising a set of methods for accessing contents of an object instance of the Java class, wherein the object instance comprises a central directory header read in by the receiver" as the central directory class headers 641-646 and the stream executor 416 controls the activity of the client 410 (Fig. 6, page 9, paragraph 0069-0070).

24. As per dependent claim 19, Hendler teaches the claimed "the process is a Java class comprising a set of methods for accessing contents of an object instance of the Java class, wherein the object instance comprises an end of central directory record read in by the receiver" as the end of central directory record 647 and the stream executor 416 controls the activity of the client 410 (Fig. 6, page 7, paragraph 0070).

### ***Response to Arguments***

25. Applicant's arguments filed on 6/21/2006 have been fully considered but they are not persuasive and details are as follows:

a) Applicant's argument states as "The Examiner's failure to establish the required prima facie case notwithstanding, each of independent claims 1, 5, 11 and 17 are directed to statutory subject matter."

In response to the applicant argument, Examiner respectfully disagrees because independent claims 1, 5, 11 and 17 do not produce any tangible results. Applicant is not able interpret Interim Guidelines properly.

b) Applicant's argument states as "Claims 1-4 are rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph as being indefinite I that independent claim 1 recites a pronoun 'it'.

In response to the applicant's amendment, Examiner agrees that the amendment to claims 1 and as well as 17 have overcome the rejection under 35 U.S.C.112, 2<sup>nd</sup> paragraph and it is withdrawn.

c) Applicant's argument stated as "Contrary to the Examiner's assertions, Hendler et al, does not enable a process to access contents of the central directory as the central directory is received."

In response to the applicant argument, Examiner respectfully disagrees because Hendler do teach as to enable space allocation for the file 600, streaming of the modules 631-636, 640 may begin with streaming of the central directory module 640 (Fig. 6, page 8 and paragraph [0076]).

d) Applicant's argument states as "In an attempt to cure this deficiency, the Examiner cites Basin et al. as teaching the existence of an 'un-extracted zip file' ...Applicants respectfully disagree" (see page 13, paragraph one).

In response to the applicant argument, Examiner respectfully disagrees because Applicant has been looking for the words used in the claim and argued for missing those terms, Examiner searched for prior art to meet the requirement and added the Basin et al. reference to overcome the deficiency of "un-extracted zip file." Basin clearly stated as "these days almost any file one downloads from the internet is compressed in some way" (see Basin, page 1, paragraph [0002]).

e) Applicant's argument states as "Claims 2-4 depend from claim 1. As explained..." (see page 15, paragraph one).

In response to the applicant argument, Examiner respectfully disagrees because Applicant is just considering only claim 1 argument and assuming that rest of the claims must be allowed. Hendler teaches claims 2-4, citation with brief explanation are given, for each claim separately (see the section, rejection under 103).

f) Applicant's argument states as "In the rejection of claims 5 and 11, the Examiner..." (see page 15, paragraph two).

In response to the applicant argument, Examiner respectfully disagrees under the same rationale as given above. Applicant repeated the same argument in claims 5-19.

### ***Conclusion***

26. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.




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Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sathyanarayan Pannala  
Examiner

srp

August 28, 2006